

Remarks/Arguments

The amendments made to the claims have been made to put the claims in better condition for examination and to obviate the 35 U.S.C. § 112 rejections of the outstanding Office Action. No new matter has been added. Support for the amendments made to claim 6 can be found in the present specification at page 2, lines 10-28. Support for the amendments made to claim 26 can be found in the present specification at page 3, lines 1-6.

Applicant respectfully submits that U.S. Patent 6,114,342 to Oberdorf et al. does not teach each and every element of the present invention, with the major difference between Oberdorf et al. and the present invention being the selection of reagents for carrying out the ether cleavage reaction. The present invention employs a combination of hydrogen chloride, an inert solvent and a catalyst selected from the group of iron, indium, and halide, oxide and triflates thereof to carry out the ether cleavage reaction. Oberdorf et al. employs a molar excess of boron trichloride or hydrogen bromide to carry out the ether cleavage reaction, wherein neither of these compounds is used in a catalytic manner. To further support Applicant's position, Oberdorf et al. never refer to boron trichloride or hydrogen bromide as catalysts and Oberdorf et al. discloses at least stoichiometric amounts of boron trichloride or hydrogen bromide. The only mention of catalysts that can be found in Oberdorf et al. are found in column 3, lines 17-31, in which Oberdorf et al. discloses that it may be advantageous to use 18-crown-6 or 15-crown-5 as a catalyst in the reaction, or, if a two phased system is used, phase-transfer

catalysts may be employed in the reaction.

Applicant respectfully submits that the combination of U.S. Patent 6,114,342 to Oberdorf et al. along with Jemty et al. (J. Organic Chemistry, 1981, 46, 4545-4551) and Vankar et al. (J. Chemical Research (S), 1985, 232-233) do not render obvious the present invention because there is no motivation to combine these disclosures to arrive at the present invention.

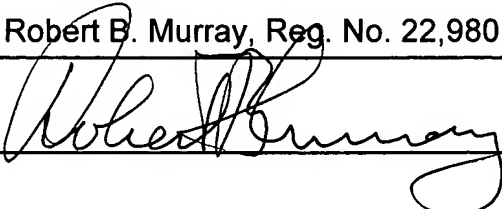
Oberdorf et al. teaches the use of a molar excess of the reagents boron trichloride and hydrogen bromide. Outside of the disclosure wherein Oberdorf et al. discloses the use of 18-crown-6, 15-crown-5 or phase-transfer catalysts as a catalyst, there is simply no teaching or fair suggestion found in Oberdorf et al. to use any other catalyst in the ether cleaving reaction disclosed therein. Furthermore, there is no motivation found in Oberdorf et al. to arrive at the combination of hydrogen chloride and a catalyst selected from iron, indium and halides, oxides and triflates thereof of the present invention to carry out the ether cleaving reaction.

With respect to Jemty et al. (J. Organic Chemistry, 1981, 46, 4545-4551), Applicant respectfully submits that there is no motivation found in Jemty et al. to combine this disclosure with either, or both of, Oberdorf et al. or Vankar et al. Jemty et al. discloses using iron chloride supported on silica gel as a means for ether cleavage wherein the supporting silica plays a part in the ether cleavage reaction because the surface silanol functionality was found to be involved in the reaction. Furthermore, the disclosure of Jemty et al. states that the silica supported iron chloride is used in a 1.1

molar ratio versus the starting materials. This ratio would be recognized by one of ordinary skill in the art as a ratio not indicative of catalytic reagents.

With respect to Vankar et al. (J. Chemical Research (S), 1985, 232-233) , Applicant respectfully submits that there is no motivation to combine this document with either, or both of, Oberdorf et al. or Jemphy et al. Vankar et al. teaches the use of sodium iodide/boron trifluoride systems for converting ethers to alcohols. Nowhere in this document is the term "catalyst" used and one of the reactions shown in this document clearly discloses that the sodium iodide reagent is destroyed and the iodide then becomes part of the benzyl iodide final product. A catalyst, by definition, is not consumed or destroyed in an overall chemical reaction. Based on this, there is no motivation to combine the disclosure of Vankar et al. with either, or both of, Oberdorf et al. or Jemphy et al. to arrive at the present invention.

In light of the foregoing amendments and remarks, Applicants respectfully request withdrawal of the outstanding Office Action rejections and favorable reconsideration of the claims on the merits at this time.

RESPECTFULLY SUBMITTED,			
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Page 11

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